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 6

7 UNITED STATES DISTRICT COURT  
 8 SOUTHERN DISTRICT OF CALIFORNIA  
 9 (HONORABLE JOHN A. HOUSTON)

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 **JOSE RAYMUNDO CONTRERAS-HERNANDEZ**

14 Defendant.  
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CASE NO. 07cr3190-JAH

DATE: April 14, 2008  
 TIME: 11:00 a.m.

NOTICE OF MOTIONS IN LIMINE AND  
MOTIONS IN LIMINE TO:

- (1) COMPEL THE GOVERNMENT TO PROVE THE VALIDITY OF THE DEPORTATION TO THE JURY;
- (2) EXCLUDE EVIDENCE NOT PRODUCED IN DISCOVERY;
- (3) EXCLUDE DOCUMENTS ABSENT REDACTION;
- (4) PRECLUDE TESTIMONY FROM GOVERNMENT WITNESSES REFERRING TO MR. CONTRERAS-HERNANDEZ AS THE "ALIEN;"
- (5) PROVIDE INSPECTION OR PRODUCTION OF CERTIFIED DOCUMENTS;
- (6) PRECLUDE INTRODUCTION OF "MUG SHOTS" OF MR. CONTRERAS-HERNANDEZ;
- (7) PROHIBIT THE CERTIFICATE OF NONEXISTENCE OF RECORD AS INADMISSIBLE;
- (8) PRECLUDE EVIDENCE UNDER FEDERAL RULE OF EVIDENCE 404(B) AND 609;
- (9) ALLOW ATTORNEY-CONDUCTED VOIR-DIRE;
- (10) ORDER PRODUCTION OF GRAND JURY TRANSCRIPTS;
- (11) PRECLUDE DOCUMENTS OF DEPORTATION AS EVIDENCE OF ALIENAGE; AND,
- (12) GRANT LEAVE TO FILE FURTHER MOTIONS.

1 TO: KAREN P. HEWITT, INTERIM UNITED STATES ATTORNEY, AND  
2 PETER MAZZA, ASSISTANT UNITED STATES ATTORNEY:

3 **PLEASE TAKE NOTICE** that on the above-captioned date and time, or as soon thereafter as counsel may  
4 be heard, Jose Raymundo Contreras-Hernandez, by and through counsel, Candis Mitchell and Federal  
5 Defenders of San Diego, Inc., will ask this Court to enter an order granting the following motions.

6 **MOTIONS**

7 Mr. Contreras-Hernandez, by and through counsel, Candis Mitchell, and Federal Defenders of San  
8 Diego, Inc., pursuant to the Fourth, Fifth and Sixth Amendments to the United States Constitution, Federal  
9 Rules of Criminal Procedure, and all other applicable statutes, case law, and local rules, hereby moves this  
10 court for an order to:

- 11  
12 (1) Compel the Government to Prove The Validity of the Deportation to the Jury;  
13 (2) Exclude Evidence Not Produced in Discovery;  
14 (3) Exclude Documents Absent Redaction;  
15 (4) Preclude Testimony from Government Witnesses Referring to Mr. Contreras-Hernandez as the  
16 "Alien"  
17 (5) Provide Inspection or Production of Certified Documents;  
18 (6) Preclude Introduction of "Mug Shots" of Mr. Contreras-Hernandez;  
19 (7) Prohibit the Certificate of Nonexistence of Record as Inadmissible;  
20 (8) Preclude Evidence under Federal Rule of Evidence 404(b) and 609;  
21 (9) Allow Attorney-conducted Voir-dire  
22 (10) Order Production of Grand Jury Transcripts  
23 (11) Preclude Documents of Deportation as Evidence of Alienage and  
24 (12) Grant Leave to File Further Motions.

25 These motions *in limine* are based upon the instant motion and notice of motions, the attached  
26 statement of facts and memorandum of points and authorities, and any and all other materials that may come  
27 to this Court's attention at or before the time of the hearing on these motions.  
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Respectfully submitted,

Dated: March 29, 2008

*s/ Candis Mitchell*  
**CANDIS MITCHELL**  
Federal Defenders of San Diego, Inc.  
Attorneys for Mr. Contreras-Hernandez  
Candis\_Mitchell@fd.org